United Nations A/72/842–S/2018/364

General Assembly
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General Assembly
Seventy-second session

Agenda items 35 and 40

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Security Council
Seventy-third year

Letter dated 17 April 2018 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to submit for your attention a statement by the Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan concerning the destruction, desecration and appropriation of Azerbaijani historical and cultural heritage as a result of the continuing aggression of the Republic of Armenia against the Republic of Azerbaijan (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 35 and 40, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

18-06641 (E) 300418

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Annex to the letter dated 17 April 2018 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

[Original: Russian]

Statement from the Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan

27 March 2018

As an integral part of its military occupation policy against Azerbaijan, Armenia is pursuing a systematic policy of vandalism, destruction, theft, appropriation and falsification of tangible cultural assets and religious monuments in our occupied lands. The policy of destruction of the tangible cultural heritage in these lands and in the territory of Armenia that is historically Azerbaijani land is a heinous act not only against the Azerbaijani people but against the whole of humanity.

As reported by the Azerbaijan State News Agency (AZERTAC), the head of the Press Service of the Ministry of Foreign Affairs of Azerbaijan, Hikmet Hajiev, has made a statement expressing our position on a statement made by a representative of the Ministry of Foreign Affairs of Armenia.

Mr. Hajiev noted that, in a media interview, the representative of the Ministry of Foreign Affairs of Armenia had himself indirectly acknowledged the situation and had tried to evade the international responsibility of Armenia as the occupying State. Nonetheless, cases of damage to and theft and destruction of the tangible cultural heritage of the Azerbaijani people by Armenia have been documented in detail.

For example, in our occupied lands Armenia has damaged 738 historical monuments, 28 museums with more than 83,500 exhibits, 4 art galleries, 14 memorial sites and 1,891 tangible cultural heritage sites, including 1,107 cultural institutions. All the aforementioned monuments have been subjected to vandalism. The seventeenth-century mosque complex in Jabrayil district, the Yukhari Govharagha, Ashaghi Govharagha and Saatli Mosques in Shusha, dating from the eighteenth century, and the nineteenth-century Aghdam Mosque have not only been damaged and vandalized but, insultingly, have been turned into cattle sheds. Furthermore, in the city of Shusha, archaeological sites such as the Vagif Mausoleum, the house of Khurshidbanu Natavan and a number of caravanserais have been damaged and pillaged.

Albanian Christian churches in occupied districts including Khojaly, Kelbajar, Lachin and Khojavand, which have nothing to do with the Armenians, have been appropriated; their architectural style has been changed and they are now presented as Armenian monuments. Particular mention should be made of Gandzasar and Khudaveng, Albanian Christian churches located in Kelbajar district that date from the Middle Ages. Since 2003, illegal archaeological excavations have been taking place in the Azokh cave and around Aghdam.

The cultural heritage of the Azerbaijani people in historically Azerbaijani areas in the territory of Armenia has suffered the same fate. The Demirbulag Mosque in Yerevan has been razed to the ground and the Blue Mosque has been "renovated" with a view to changing its original features. The architectural monuments that have been destroyed include the Haji Novruzali bey Mosque in Yerevan, built by Gara Seyid in the second half of the eighteenth century, the Sardar's Palace and the Khan Saray palace complex. The Sardar's Mosque in Yerevan suffered systematic damage before being completely destroyed in 2014.

The Ministry of Culture and Tourism and the Ministry of Foreign Affairs have prepared detailed reports on the destruction by Armenia of Islamic historical and cultural heritage in the occupied territories of Azerbaijan and on the destruction and desecration of the historical and cultural heritage of Azerbaijan resulting from the continued aggression by Armenia against Azerbaijan. These have been submitted to the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations, the Organization for Security and Cooperation in Europe, the Council of Europe, the Organization of Islamic Cooperation, the Islamic Educational, Scientific and Cultural Organization and other international organizations.

As a result, the Organization of Islamic Cooperation regularly adopts resolutions concerning the destruction and desecration of the historical and cultural heritage of the Islamic religion and the destruction of shrines in the occupied territories of Azerbaijan resulting from Armenian aggression. The latest such resolutions were adopted by the Council of Foreign Ministers of the Organization at its sessions held in Kuwait, Uzbekistan and Côte d'Ivoire in 2015, 2016 and 2017 respectively.

The Ministry of Foreign Affairs and the Ministry of Culture and Tourism have repeatedly, at the international level, raised the question of organizing a fact-finding mission to assess the current status of the tangible cultural heritage in our occupied lands. Armenia, which acknowledges responsibility for the heinous acts committed against this heritage, is doing everything possible to prevent such a mission. The Minister for Foreign Affairs of Azerbaijan, Elmar Mammadyarov, during a meeting with the Director General of UNESCO, Audrey Azoulay, at the Organization's headquarters in January this year, once again raised the question of sending a UNESCO fact-finding mission to our occupied territories.

These acts by Armenia constitute a flagrant violation of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (the 1954 Hague Convention) and of the commitments entered into by Armenia under the Second Protocol to the Convention, which was adopted in 1999. Article 9 of the Protocol enshrines the obligation of an occupying Party to prohibit and prevent, in relation to an occupied territory, illicit trade in cultural property or in any samples from archaeological excavations, the export thereof from the territory, and any change to or destruction of particular historical or scientific evidence.

Unlawful acts against cultural property and cultural heritage during armed conflict are considered war crimes under international criminal law. The Republic of Armenia as a State bears direct international legal responsibility for the acts of vandalism committed in the occupied territories.

The Ministry of Foreign Affairs and the Ministry of Culture and Tourism will continue jointly to draw the attention of the international community to the acts of vandalism committed by Armenia in our occupied territories, including against the historical and cultural heritage of the Azerbaijani people in the territory of Armenia.

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General Assembly

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Seventy-second session
Agenda item 73
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

Letter dated 23 April 2018 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

I have the honour to address you on the occasion of the International Chernobyl Disaster Remembrance Day and to transmit a non-paper entitled "Thirty-second anniversary and the International Chernobyl Disaster Remembrance Day", prepared by Belarus (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the seventy-second session of the General Assembly, under agenda item 73.

(*Signed*) Valentin **Rybakov**

18-07040 (E) 080518

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Annex to the letter dated 23 April 2018 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

[Original: English and Russian]

Thirty-second anniversary and the International Chernobyl Disaster Remembrance Day 26 April 2018

On April 26, 1986 world was shaken by a terrible tragedy — an explosion at the Chernobyl nuclear power plant in northern Ukraine (then part of the USSR). This accident has become the worst nuclear disaster in human history. The explosion caused release of large quantities of radioactive materials into the atmosphere that spread over the western USSR and Europe. This radioactive contamination affected the lives of millions of people, and its consequences are still present.

The legacy of Chernobyl is of particular significance for Belarus. The disaster affected large territory, resulted in relocation of people and disruption of normal life for hundreds of thousands of Belarusians. Overcoming the long-term consequences of Chernobyl requires tremendous national efforts and new partnerships for encouragement of a sustainable development in affected regions, attraction of innovations and investments.

In 2016 United Nations General Assembly in its resolution recognizes the persistent legacy of the Chernobyl disaster and empowers the United Nations system to undertake meaningful steps aimed at achieving the Sustainable Development Goals in the Chernobyl-affected regions and communities. The United Nations General Assembly proclaimed April 26 as **the International Chernobyl Disaster Remembrance Day**.

Belarus regards the following as **priorities for the sustainable development** of the affected region, as it is stipulated in the resolution:

- investing in innovations and infrastructure to create new jobs;
- improving radiation protection and providing long-term environmental and health monitoring;
- introducing advanced technologies into agricultural production and forestry to minimize radionuclide intake;
- enhancing networking around specialized national scientific institutions to study long-term consequences of the Chernobyl disaster.

Belarus counts on support of these approaches from the United Nations agencies, Member States, private investors and other partners.

Belarus can share with the world unique knowledge and experience in dealing with such disaster and experience related to permissible doses, zoning, people's psychological rehabilitation.

Belarus possesses a unique research facility in the middle of the Exclusion Zone — the State Radiation and Ecology Reserve "Polessie", which marks its 30th anniversary this year. The Ecology Reserve is open for cooperation and incites interested partners to develop joint research programmes in radioecology, radiobiology or exploration of nature without an anthropogenic factor.

Rehabilitation of contaminated territories, revival of economy and ensuring safe living conditions for people in the affected areas are still pressing issues for the

Government of Belarus as one of the most affected countries. We believe that there is still a room for international cooperation on Chernobyl.

Belarus admires those noble individuals, governments and international organizations that have remained compassionate and focused on the plight of the victims of Chernobyl over the past more than 30 years.

We are looking forward to fruitful cooperation with all partners to overcome long-term consequences of Chernobyl disaster and to ensure achieving SDGs in affected regions.

United Nations A/72/844

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Seventy-second session
Agenda item 154
Financing of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

Financing arrangements for the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo for the period from 1 July 2017 to 30 June 2018

Report of the Advisory Committee on Administrative and Budgetary Questions

1. During its consideration of the report of the Secretary-General on the financing arrangements for the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) for the period from 1 July 2017 to 30 June 2018 (A/72/778), the Advisory Committee met with representatives of the Secretary-General, who provided additional information and clarification, concluding with written responses received on 17 April 2018.

2. In its resolutions 2277 (2016) of 30 March 2016 and 2348 (2017) of 31 March 2017, the Security Council requested MONUSCO to provide technical assistance and logistical support for the revision of the electoral register and to facilitate the electoral cycle, in particular by engaging in a regular and substantial dialogue with the Independent National Electoral Commission. On 5 November 2017, the Commission published an electoral calendar scheduling the simultaneous holding of presidential and legislative (national and provincial) elections on 23 December 2018, with a number of prerequisites linked to its implementation (A/72/778, paras. 1–4). Upon enquiry, the Advisory Committee was informed that these prerequisites include: (i) the completion of the cleaning of the electoral register (5 April 2018); (ii) the completion of the audit of the electoral register (25 May); (iii) the adoption and promulgation of the annex to the electoral law on seat allocation (8 May); (iv) the convocation of the electorate (23 June); (v) the registration of candidates for the presidential and national legislative elections (from 25 July to 18 August); (vi) the publication of the final list of candidates for the presidential and national legislative elections (September); (vii) the recruitment and training of personnel for the Independent National Electoral Commission (August to 5 December); (viii) the preparation and distribution of election materials to the field (October to

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5 December); (ix) the accreditation of witnesses, observers and journalists (8 November to 22 December); and (x) a period of campaigning (22 November to 21 December).

3. In its resolution 71/301, concerning the budget period 2017/18, the General Assembly approved an appropriation for the maintenance of MONUSCO in the amount of $1,141,848,100. The Secretary-General indicates in paragraph 18 of his report (A/72/778) that the Mission has made efforts to reprioritize resources in order to meet the unbudgeted operational requirements related to the technical assistance and logistical support for the revision of the electoral register. As indicated in paragraph 21 of the report, MONUSCO would not be able to absorb a further amount of $47,922,700 in connection with election-related activities. This would then result in total resources for the period 2017/18 in the amount of $1,189,770,800.

4. The report of the Secretary-General provides details with respect to the additional requirements that pertain to military contingents ($3,077,800), civilian personnel ($2,978,800) and operational costs ($41,866,100) (ibid., paras. 5–18). These requirements include, inter alia, resources in connection with the proposed deployment of a geolocation threat analysis unit, the repatriation of three attack helicopters and the settlement of a prior-period claim by a vendor. With respect to the settlement, the Advisory Committee was informed, upon enquiry, that the contract under which claims had arisen had been signed by the vendor on 31 July 2015 and that the vendor had filed a number of claims in 2016 and 2017. The Committee was also informed that the United Nations and the vendor had agreed on a global settlement of the claims in January 2018 in the amount of $3,620,700. **The Committee questions whether the requirements related to the 2015/16 period should have been deferred to the 2017/18 period. The Committee is of the view that these additional costs should have been requested in the 2015/16 period through the submission of a revised proposed budget or a request for commitment authority and subsequently reflected in the context of the performance report for the 2016/17 period (see A/72/638 and A/72/638/Corr.1).**

5. With respect to past expenditure for the purposes of election-related activities, the Advisory Committee was informed, upon enquiry, that during the period 2016/17, MONUSCO had expended and absorbed an amount of $37,413,900 in support of voter registration for the planned elections.

6. The Advisory Committee was informed that, based on current projections, MONUSCO expects to utilize 100 per cent of its approved budget for the 2017/18 financial period, not including the $47,922,700 in additional resources required. The Committee was also informed that, as at 5 March 2018, the cash reserves of the mission amounted to $228,831,900 and that, after deductions pertaining to the three-month operating reserve, in the amount of $186,208,400, MONUSCO would be left with a cash reserve of $42,623,500.

7. With respect to the recruitment of 102 staff funded under general temporary assistance to be located in various offices throughout the Mission area, the Advisory Committee was informed, upon enquiry, that their deployment had commenced in February and would conclude in June 2018, with a total of 4 positions encumbered and the other 98 in various stages of recruitment, as at 9 April 2018. The Committee was also informed, upon enquiry, that the aforementioned 102 positions funded under general temporary assistance would be retained in the 2018/19 period (see A/72/789/Add.11, paras.40 and 41). The Committee was also provided with a breakdown showing the proposed staffing in support of the electoral process for the financial periods 2017/18 and 2018/19.

8. The proposed action to be taken by the General Assembly in connection with the financing of MONUSCO for the period from 1 July 2017 to 30 June 2018 is indicated in paragraph 23 of the note by the Secretary-General (A/72/778).

9. **The Advisory Committee points out that the requirements for additional resources related to the above-mentioned electoral assistance could have been presented earlier in 2018, in particular as some activities pertaining to the forthcoming elections, such as the recruitment process of staff to be funded under general temporary assistance, were initiated in February 2018. The Committee is cognizant that, if additional funding were not to be approved for the 2017/18 financial period, MONUSCO would not be able to meet the requirements referred to above from its existing resources.**

10. **Taking into account its comments and recommendations in the paragraphs above, including that the requirements of MONUSCO for the current period may exceed the level of the existing appropriation and, having considered the Mission's cash position as at 5 March 2018 (see para. 6 above), the Advisory Committee recommends that the General Assembly appropriate the amount of $47,922,700 for the maintenance of the Mission for the 12-month period from 1 July 2017 to 30 June 2018, in addition to the amount of $1,141,848,100 already appropriated for the same period for the maintenance of the Mission under the terms of Assembly resolution 71/301.**

11. **The Advisory Committee recommends that the General Assembly request the Secretary-General to provide detailed information on actual expenditures incurred in the context of the performance report of MONUSCO for the period from 1 July 2017 to 30 June 2018.**

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General Assembly

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Seventy-second session
Agenda item 113 (b)
Elections to fill vacancies in principal organs: election of eighteen members of the Economic and Social Council

Note verbale dated 20 April 2018 from the Permanent Mission of the Republic of Korea to the United Nations addressed to the Secretariat

The Permanent Mission of the Republic of Korea to the United Nations presents its compliments to the Secretariat and, in its capacity as Chair of the Asia-Pacific Group for April 2018, has the honour to inform the latter that, in accordance with an agreement on the candidatures for the Economic and Social Council for the 2017–2019 term, signed by the Kingdom of Cambodia and the Republic of Tajikistan on 25 April 2016, the Republic of Tajikistan will relinquish its seat on the Council to the Kingdom of Cambodia on 31 December 2018 for the remainder of the term.

In its capacity as Chair of the Asia-Pacific Group for April 2018, the Permanent Mission of the Republic of Korea also has the honour to inform the Secretariat that, in accordance with an agreement on the candidatures for the Council for the 2017–2019 term, signed by the United Arab Emirates and the Republic of Yemen, the United Arab Emirates will relinquish its seat on the Council to the Republic of Yemen on 31 December 2018 for the remainder of the term.

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General Assembly
Seventy-second session
Agenda items 34, 72 (c) and 74

Prevention of armed conflict

Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Report of the International Court of Justice

Security Council
Seventy-third year

Letter dated 26 April 2018 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the statement of the Ministry of Foreign Affairs of Ukraine on the request for the International Court of Justice to interpret its provisional measures order against the Russian Federation (see annex).

I should be grateful if you would circulate the present letter and its annex as a document of the seventy-second session of the General Assembly, under agenda items 34, 72 (c) and 74, and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

18-06966 (E) 070518

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Annex to the letter dated 26 April 2018 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Ukraine on the request for the International Court of Justice to interpret its provisional measures order against the Russian Federation

Ukraine asks the International Court of Justice ("ICJ") to provide a definitive interpretation of the ICJ's Order that was issued one year ago imposing provisional measures on the Russian Federation. Relevant request of 19 April 2018 was delivered today to the ICJ.

In 2017, Ukraine initiated a case against the Russian Federation to hold it accountable for sponsoring acts of terrorism and engaging in racial discrimination in the course of its unlawful aggression against Ukraine. Ukraine requested provisional measures from the ICJ in light of the urgency of the situation, and one year ago, on 19 April 2017, the Court issued an historic decision granting Ukraine's request. The decision required Russia, among other things, to "refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to preserve its representative institutions, including the Mejlis".

Despite the clear meaning of this Order, an entire year has passed and Russia continues to maintain its ban of the Mejlis. It is now apparent that Russia does not consider that it must suspend its discriminatory ban on the Mejlis under the language of the ICJ's Order. Ukraine fundamentally disagrees; the language of the Order is clear and requires the ban to be lifted immediately. Ukraine is therefore asking the ICJ to exercise its judicial authority to confirm that Russia is obligated to suspend the ban on the Mejlis under the Court's provisional measures order.

In addition to addressing Russia's treatment of the Mejlis, the ICJ's Order of provisional measures required Russia to "ensure the availability of education in the Ukrainian language", and called on the parties not to take action aggravating the disputes before the Court, which encompass both discrimination in Crimea and support for terrorism in eastern Ukraine. Ukraine remains deeply concerned by Russia's approach to every aspect of the ICJ's provisional measures order.

With today's action, Ukraine reiterates that Russia is not above the law. The international community must insist that Russia abide by international law, including the binding rulings of the International Court of Justice.